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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Mark B. Spitzer
Application No. : 09/589,299
Filed : June 7, 2000
For : COMPACT, HEAD-MOUNTABLE DISPLAY DEVICE WITH
SUSPENDED EYEPIECE ASSEMBLY
Examiner : Michael J. Moyer
Attorney's Docket : MIOPT-005XX

Group Art Unit: 2675

I hereby certify that this correspondence is being sent via facsimile
to Examiner Michael J. Moyer, Group Art Unit 2675, Fax No. (703 872-
9314, on January 2, 2003.

By:

Beverly E. Hjorth
Beverly E. Hjorth
Registration No. 32,033
Attorney for Applicant

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

It is desired to cite for the record in this application the
enclosed references listed on the attached copy of PTO Form #1449. The
paragraph(s) marked below are applicable to this Information Disclosure
Statement.

- [] (1) Pursuant to 37 C.F.R. § 1.97(b)(1) and (2), the attached
Information Disclosure Statement is being filed within three
months of the filing date of the above identified national
application or within three months of the date of entry of the
national stage as set forth in 37 C.F.R. § 1.491 of the above
identified application. Accordingly, applicant(s) believe that no
fee or statement under 37 C.F.R. § 1.97(e) is required.
- [] (2) Pursuant to 37 C.F.R. § 1.97(b)(3), applicant believes the
attached Information Disclosure Statement is being filed before
the mailing date of a first Office action on the merits.

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Accordingly, applicant believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.

- [X] (3) Pursuant to 37 C.F.R. § 1.97(c), the attached Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:

[X] a statement under 37 CFR §1.97(e); or

[] the fee set forth in §1.17(p).

PETITION UNDER 37 CFR §1.97(d)

- [] (4) Pursuant to 37 CFR §1.97(d), applicant(s) hereby petition the Commissioner to consider the attached Information Disclosure Statement which is being filed on or before payment of the issue fee. This petition is accompanied by a statement under 37 C.F.R. § 1.97(e) and the petition fee set forth in 37 C.F.R. § 1.17(i).

STATEMENT UNDER 37 C.F.R. § 1.97(e) (1)

- [X] (5) The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

STATEMENT UNDER 37 C.F.R. § 1.97(e) (2)

- [] (6) The undersigned hereby states that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the attached Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy 37 C.F.R. § 1.98(a)(3) even if in a foreign language

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because the codes are the same in all languages. However, applicant(s) does not necessarily adopt the position reflected by that report.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 23-0804. Triplicate copies of this letter are enclosed.

Respectfully submitted,

MARK B. SPITZER

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Enclosures